



UNITED STATES PATENT AND TRADEMARK OFFICE

25

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,421	07/02/2003	Tse How Low	CS22344AS	6583
20280	7590	09/02/2005	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			BODDIE, WILLIAM	
			ART UNIT	PAPER NUMBER
			2674	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,421

Applicant(s)

LOW, TSE HOW

Examiner

William Boddie

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 7 and 17 are objected to because of the following informalities: in both claims it appears applicant intended to include the limitation 'opto-electrical coupling'. In claim 7, this phrase is misspelled. In claim 17, part of the phrase is missing. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 2, 9, 10, and 12 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 9, 10, and 12 recite the limitation "said controller". There is insufficient antecedent basis for this limitation in the claim. It appears applicant intended for the controller to be synonymous with "bevel". These claims have been examined under this assumption.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2674

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 8, 11-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hafner (US 4,253,177).

With respect to claim 1, Hafner discloses, an option selector (2 in fig. 1) for an electronic device (fig. 1), said option selector comprising: a bezel (4 in fig. 1) surrounding a display screen (3a in fig. 4) of said electronic device, said bezel being rotatably mounted to a housing of said electronic device (col. 2, lines 10-12); and a position detector (15-19 in fig. 3) operatively coupled to said bezel to provide a signal indicative of a rotational position of said bezel relative to a predetermined datum of said electronic device (col. 3, lines 1-10), said position detector being electrically coupled to a processor (14 in fig. 3) of said device to permit, by selective rotation of said bezel, user selectable options displayed on said display screen (col. 2, lines 18-21).

With respect to claim 2, Hafner discloses, an option selector as claimed in claim 1 (see above) wherein said controller is bi-directionally rotatable (col. 2, lines 38-40).

With respect to claim 3, Hafner discloses, an option selector as claimed in claim 1 (see above) wherein the bezel is annular (fig. 1).

With respect to claim 4, Hafner discloses, an option selector as claimed in claim 2 (see above) wherein the bezel is mounted on an annular track of said housing (1a in fig. 3).

With respect to claim 5, Hafner discloses, an option selector as claimed in claim 1 (see above), wherein the position detector is operatively coupled (col. 2, lines 29-37) to the bezel (2 in fig. 2) by a rotatable shaft (17 in fig. 3) having an axis of rotation common with the bezel.

With respect to claim 6, Hafner discloses, an option selector as claimed in claim 1 (see above) wherein the position detector is operatively coupled to the bezel by a gear drive (9,10 in fig. 2).

With respect to claim 8, Hafner discloses, an option selector as claimed in claim 1 (see above) wherein the controller includes a contoured surface to assist user rotation thereof (col. 2, lines 15-18).

With respect to claim 11, Hafner discloses, an electronic device (col. 2, lines 22-25) comprising: a housing (1 in fig. 1); a processor (14 in fig. 4), a display screen (3a in fig. 4) mounted to said housing and coupled to the processor (fig. 4); a bezel surrounding the display screen (4 in fig. 1), said bezel being rotatably mounted to the housing (col. 2, lines 10-12); and a position detector (15-19 in fig. 3) operatively coupled to said bezel to provide a signal indicative of a rotational position of said bezel relative to a predetermined datum of said electronic device (col. 3, lines 1-10), said position detector being electrically coupled to the processor (14 in fig. 3) of said device to permit, by selective rotation of said bezel, user selectable options displayed on said display screen (col. 2, lines 18-21).

As has been shown in claim 11, Hafner discloses both an option selector for an electronic device and the electronic device itself. Therefore claims 12-16 and 18, are

Art Unit: 2674

rejected on the same merits as those shown above in identical dependent claim limitations, for example claim 12 on the merits of claim 2.

6. Claims 1-4, 7, 9-14, 17, and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Karhu (US 6,535,461).

With respect to claim 1, Karhu discloses, an option selector (8 in fig. 1) for an electronic device (1 in fig. 1), said option selector comprising: a bezel (8 in fig. 1) surrounding a display screen (4 in fig. 1) of said electronic device, said bezel being rotatably mounted to a housing of said electronic device (col. 2, lines 28-33); and a position detector operatively coupled to said bezel to provide a signal indicative of a rotational position of said bezel relative to a predetermined datum of said electronic device (col. 2, lines 53-57), said position detector being electrically coupled to a processor (40 in fig. 15) of said device to permit, by selective rotation of said bezel, user selectable options displayed on said display screen (col. 2, lines 53-57).

With respect to claim 2, Karhu discloses, an option selector as claimed in claim 1 (see above) wherein said controller is bi-directionally rotatable (col. 2, lines 43-45).

With respect to claim 3, Karhu discloses, an option selector as claimed in claim 1 (see above) wherein the bezel is annular (fig. 9).

With respect to claim 4, Karhu discloses, an option selector as claimed in claim 2 (see above) wherein the bezel is mounted on an annular track of said housing (fig. 8).

With respect to claim 7, Karhu discloses, an option selector as claimed in claim 1 (see above) wherein the position detector is operatively coupled to the bezel by opto-electrical coupling (fig. 4 and col. 5, lines 27-45).

With respect to claim 9, Karhu discloses, an option selector as claimed in claim 1 (see above) wherein said controller is mechanically coupled to at least on selector switch to permit activation of one of said options (col. 6, lines 26-35).

With respect to claim 10, Karhu discloses an option selector as claimed in claim 9 (see above) wherein said controller selector switch is activated in use by movement of at least a section of said bezel towards said housing (col. 6, lines 26-35 and col. 6, lines 52-53).

With respect to claim 11, Karhu discloses an electronic device (1 in fig. 1) comprising: a housing (7 in fig. 1); a processor (40 in fig. 15), a display screen (42 in fig. 15) mounted to said housing and coupled to the processor (fig. 15); a bezel surrounding the display screen (8 in fig. 1), said bezel being rotatably mounted to the housing (col. 2, lines 28-33); and a position detector operatively coupled to said bezel to provide a signal indicative of a rotational position of said bezel relative to a predetermined datum of said electronic device (col. 2, lines 53-57), said position detector being electrically coupled to the processor (40 in fig. 15) of said device to permit, by selective rotation of said bezel, user selectable options displayed on said display screen (col. 2, lines 53-57).

As has been shown in claim 11, Karhu discloses both an option selector for an electronic device and the electronic device itself. Therefore claims 12-14, 17, and 19-20 are rejected on the same merits as those shown above in identical dependent claim limitations, for example claim 12 on the merits of claim 2.

Claim Rejections - 35 USC § 103

Art Unit: 2674

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5,6,8,15,16,and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karhu in view of Hafner.

With respect to claim 5, Karhu discloses, an option selector as claimed in claim 1 (see above).

Karhu does not expressly disclose, wherein the position detector is operatively coupled to the bezel by a rotatable shaft having an axis of rotation common with the bezel.

Hafner discloses, wherein the position detector is operatively coupled (col. 2, lines 29-37) to the bezel (2 in fig. 2) by a rotatable shaft (17 in fig. 3) having an axis of rotation common with the bezel.

Karhu and Hafner are analogous art because they are from the same field of endeavor, namely electronic watches.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use a rotatable shaft to couple the position detector and the bezel, taught by Hafner, within the option selector taught by Karhu.

The motivation for doing so would have been for a more tested and cost-efficient coupling between the position detector and the bezel.

Therefore, it would have been obvious to combine Hafner with Karhu for the benefit of more reliable and cost-efficient coupling to obtain the invention as specified in claim 5.

With respect to claim 6, Karhu discloses, an option selector as claimed in claim 1 (see above).

Karhu does not expressly disclose, wherein the position detector is operatively coupled to the bezel by a gear drive.

Hafner discloses, wherein the position detector is operatively coupled to the bezel by a gear drive (9,10 in fig. 2).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use a gear drive, taught by Hafner, to couple the bezel and the position detector of Karhu.

The motivation for doing so would have been for a more reliable coupling between the position detector and the bezel.

Therefore, it would have been obvious to combine Hafner with Karhu for the benefit of more reliable coupling to obtain the invention as specified in claim 6.

With respect to claim 8, Karhu discloses, an option selector as claimed in claim 1 (see above).

Karhu does not expressly disclose, wherein the controller includes a contoured surface to assist user rotation thereof.

Hafner discloses, a contoured surface to assist user rotation thereof (col. 2, lines 15-18).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the contoured surface of Hafner on the bezel of Karhu.

The motivation for doing so would have been to "ensure a good grip for the operating person when actuating the rotating collar plate (Hafner col. 2, lines 16-18)."

Therefore it would have been obvious to combine Hafner with Karhu for the benefit of ensuring a good grip on the bezel to obtain the invention as specified in claim 8.

With respect to claims 15,16, and 18, Karhu discloses an electronic device as claimed in claim 11 (see above). The additional limitations of claims 15,16, and 18 have already been addressed in claims 5,6, and 8 (see above). Thus claims 15,16, and 18 are rejected on the same merits as shown above.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Will Boddie whose telephone number is (571) 272-0666. The examiner can normally be reached on Monday through Friday, 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. Please note the new Central Fax Number 571-273-8300. Faxes sent to the old number, 703-872-9306, will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

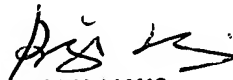
Art Unit: 2674

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wlb

8-30-05


REGINA LIANG
PRIMARY EXAMINER